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RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
GROUP 2665

PATENT APPLICATION  
Q-59841

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED.**

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Technology Center 2600

In re application of

Christian LAROQUE, et al.

Appln. No.: 09/605,881

Group Art Unit: 2665

Confirmation No.: 7314

Examiner: Stevens, R.

Filed: June 29, 2000

For: METHOD OF MONITORING THE USE OF A CHARGEABLE DYNAMIC  
SIGNALING PORT OF AN INTER-EXCHANGE TRUNK

**RESPONSE UNDER 37 C.F.R. § 1.116**

**MAIL STOP AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In the **final** Office Action mailed August 13, 2004, the Examiner issued two **new** statutory rejections under 35 U.S.C. § 103(a) in which the Examiner relies on Kim '259 as a primary reference for the rejection of claims 1, 2, 4 and 5.

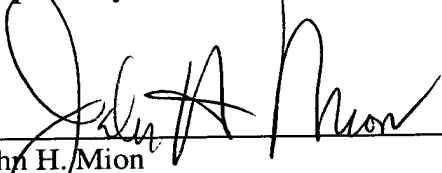
However, Kim '259 has an effective (U.S. filing) date of only **July 6, 1999** which is **later** than Applicant's French priority date of **July 1, 1999** based on French Application 99 08 499. In order to perfect Applicant's claim to the French priority date and to **disqualify** Kim '259 as a reference, Applicant encloses a certified English translation of French Application No. 99 08 499.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw the two rejections under 35 U.S.C. § 103(a) and to find the application to be in condition for allowance with all of claims 1-5.

If for any reason the Examiner feels that the application is not now in condition for allowance, she is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues, and to expedite the disposition of the application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,

  
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**23373**  
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Date: November 4, 2004